

MAY 11, 2012

The Peace Officer Standards and Training Commission met on Friday, May 11, 2012, at the Tennessee Law Enforcement Training Academy Annex, 3025 Lebanon Road, Nashville, Tennessee.

POST MEMBERS PRESENT:

**Commissioner Randall Adcock
Commissioner Rita Baker
Commissioner Glen Donoho
Commissioner Gerald Fanion
Commissioner Carl Jenkins
Commissioner Franklin Lax
Commissioner Jeffrey Lewis – Chairman
Commissioner J.D. Lowry
Commissioner Dusty Rhoades
Commissioner Jimmy Wheeler
Commissioner Ric Wilson
Commissioner Bobby Williamson
Gen. Brent Cherry**

POST STAFF PRESENT:

**Mr. Brian Grisham, Executive Secretary
Ms. Gay Rye, Administrative Services Asst.
Mr. John Welch, POST Investigator
Mr. Stan Murphy, POST Investigator
Mr. Joseph Underwood – Attorney, Commerce & Insurance**

Chairman Lewis called the meeting to order and read the following statement: All POST Commissioners have previously agreed to recuse themselves from any vote that would constitute a conflict of interest. The most obvious of these would include issues that involve our own departments or someone we know personally. Because we have already agreed to this, it should be noted that on routine matters, it may be assumed nonverbally that these commissioners have abstained from that vote. In bigger, more controversial issues that may have a more overt conflict of interest or may have the appearance of impropriety, applicable commissioners will still verbally abstain from that vote.

Chairman Lewis asked for approval of the Minutes of the April 20, 2012 meeting. Commissioner Fanion moved to approve, seconded by Commissioner Jenkins. The motion carried.

There was no Decertification Committee meeting report.

APPEARING BEFORE THE COMMISSION/

WAIVERS FOR PREEMPLOYMENT REQUIREMENTS – 1110-02-.03 + 1110-9-.04

CARROLL COUNTY SO – MULLIGAN, MICHAEL SHAWN

Request waiver for Bad Check Law. During the period of 1999 – 2000 he experienced financial difficulty. He has several worthless check charges that were dismissed, in Weakley County. On 12-26-99 he had a Violation of Bad Check Law and was found guilty and paid the check and court costs. Also several worthless check charges from Carroll County.

Mr. Mulligan appeared along with Sheriff Andy Dickson and Kent Smith, Chief Deputy.

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Sheriff Dickson explained they had hired Mr. Mulligan from the Milan PD, where he was an active officer and voted by his peers to be Officer of the Year. The background check through Milan PD and through Carroll County SO did not turn up anything on his criminal history, but Mr. Mulligan freely acknowledged to the training officer that in the past when going through a divorce, he did have some back check charges due to financial difficulties. He has taken care of those costs and restitution has been made. It is not an ongoing problem.

Commissioner Jenkins moved to approve the waiver request, seconded by Commissioner Rhoades. The motion carried.

CHATTANOOGA PD – FRANKS, ZACHARY ADAM

Request waiver for a 2008 charge of Driving Under the Influence at Camp Pendleton Marine Corp Base. He received a reduction in Rank and was ordered to 45 days restriction in reference to his offense. (No record available since he received an Article 15.) He is currently attending the Chattanooga Police Academy. Upon successful completion he may be issued POST Certification.

Sgt. Mark Smelser with the Training Department was present along with Mr. Franks requesting the waiver. Mr. Franks explained that at the time of the occurrence, it was a bad time in his life, he made a mistake and has paid for it since that time. He said he has learned his lesson about drinking and driving. Sgt. Smelser said Mr. Franks was forthcoming about the charge.

Mr. Welch noted that Mr. Franks was issued a 1408 ticket and his charge was handled by the base magistrate and falls under the Uniform Code of Military Justice.

Commissioner Jenkins moved to approve, seconded by Commissioner Donoho.

Gen. Cherry noted that typically, this is also described as nonjudicial punishment and handled in-house. He said this is something that is a military kind of thing and is not like a conviction and did not know if this rises to the level of needing a waiver. He added that Mr. Franks is to be commended for bringing it to the department's attention.

Commissioner Wheeler recommended to Mr. Franks to share his experience with fellow officers. He also noted that in the state of Tennessee, this is the number one problem that every department is facing. He said they are not only losing young officers but also losing future police officers because they are good officers. He advised Mr. Franks to share what he has experienced with other officers.

The motion carried.

CHATTANOOGA PD – ROBERTS, JUSTIN EDWARD

Request waiver for the following charges:

1997 Possession of Marijuana - 10-15-97 charged with less than one ounce of Marijuana in Douglas County, Colorado. He was cited for possession, which is a petty offense in Colorado and was issued a ticket and paid a fine of \$86.00.
2000-Driving While Ability Impaired Charge – 12-20-2000 –Charged with a DWAI (driving while ability impaired) in Colorado. Plead guilty, was placed on probation and had to attend 24 hours of alcohol class along with community service and pay a fine. While attending the alcohol class in Colorado an

instructor questioned my conviction with a BAC of .000. She brought it up to the courts and his alcohol class was cut short.

He is currently attending the Chattanooga Police Academy. Upon successful completion he may be issued POST Certification.

Mr. Roberts was present requesting the waiver. He explained that he had made a bad choice by taking the marijuana. He said he was pulled over for not signaling and gave consent for search of his vehicle. He admitted the pot was his although he had not smoked any of it. Mr. Roberts added he has not been in any trouble since that time.

Commissioner Lowry moved to approve, seconded by Commissioner Wheeler. The motion carried.

CHATTANOOGA PD – VANDERPOOL, RYAN DEREK –

Request waiver for the following charges:

Citation for Open Container – 7-21-2006 – Plead guilty, paid fine of \$115.00 in Bowling Green, Ohio.

Assault Charge – 11-9-08 – (Charge dismissed 1-5-09)

He is currently attending the Chattanooga Police Academy. Upon successful completion he may be issued POST Certification.

Mr. Vanderpool was present. He explained he was visiting friends on campus and he was walking down the road with an open container. He explained that on the assault charge he was out with some friends and had been to a couple of bars and had had too much to drink. Someone in the bar made a comment that Mr. Vanderpool did not like and they got into a shoving match. Mr. Vanderpool was arrested and charged with assault, but the charge was dismissed when the other person did not show up in court. Mr. Vanderpool said that since that time, he has fought in Iraq and he will be getting married in July. He said he does not drink now.

Commissioner Lax moved to approve, seconded by Commissioner Fanion. The motion carried.

DICKSON COUNTY SO – BLEDSOE, JAMES D.

Request waiver for charge of Driving While Impaired he received on 7-21-00. He was ordered to pay a fine of \$500.00 plus court costs. He was also sentenced to 11/29 on the Illegal Possession by Consumption charge which was suspended and he was ordered to pay \$50 plus court costs. He has been employed since 5-07 as a corrections officer and was moved to the Bailiff division on 8-29-11. He will be attending TLETA on 5-27-12. Request a waiver so upon successful completion of the academy he may be issued POST Certification. Also a waiver of the six month rule is requested.

Mr. Bledsoe was not present.

Chairman Lewis noted that he knows Mr. Bledsoe. He explained that the sheriff is sending all the bailiffs to be POST certified.

Commissioner Jenkins said he did not see any reason for Mr. Bledsoe to appear and moved to approve the waiver and also a waiver of the six-month rule. Commissioner Wheeler seconded. The motion carried.

The following was included on the April 20, 2012 agenda at which time it was the decision of the Commission to request they appear. The Commission had some questions about certification in Ohio and completion of in-service.

Gatlinburg PD – Bengel, II, Mark Robert – Request is made to allow Officer Bengel to attend the September 30, 2012 Transition School at TLETA. He completed basic at the Hamilton County Sheriff's Patrol Academy in Cincinnati, Ohio graduating on 12-11-07 with a total of 860 hours of instruction. He was employed by the Hamilton County OH, Sheriff's office as a reserve from 6-07 to 3-12 and full time as a Bailiff from 4-08 to 3-12. He became full time with Gatlinburg on 3-16-12. Also request is made for a waiver of the six month rule.

Mr. Welch explained Mr. Bengel could not be present because of prior commitments taking place in Gatlinburg this week. Mr. Welch said there was a question posed concerning Mr. Bengel's prior training and in-service. He said that Tennessee has reciprocity with other states and they have done that for years. The training and in-service Mr. Bengel has received is sufficient.

Commissioner Jenkins moved that Mr. Bengel attend transition school and also a waiver of the six-month rule, seconded by Commissioner Williamson. The motion carried.

The following was included on the April 20, 2012 agenda at which time the matter was deferred to request a representative appear from the department to answer some additional questions.

LOUDON PD – Blakney, Brian E. and Nix, Brandon
Chief Webb is requesting to utilize academy trained POST eligible police officers in a part time capacity working occasionally over 20 hours per week at the need arises. Both officers are certified at the present and have not been out for any length of time.

Mike Newman was present on behalf of the department. He explained that in July, 2011, two officers resigned and the department was able to hire only one officer. The department has been using Officers Blakney and Nix and had been using them over the 20 hours a week. He explained the officers do not always work that much but occasionally they do. He said in the coming summer months, they will actually be working 100 hours a month. Mr. Newman explained that both officers have been to the academy. One officer has about five years experience with another department. The other officer attended the academy in 2011. Mr. Newman said they just want to make sure the department was doing the right thing by letting the officers work those hours. They are not employed by any other department.

Mr. Welch said he would give the department credit for coming to POST and informing them about the problem. He explained that a lot of times POST does not find out about it until they receive a citizen complaint.

Commissioner Lax moved to approve the request, seconded by Commissioner Donoho. The motion carried.

SHELBY COUNTY SO – RADDATZ, BRYCE MATTHEW

Request waiver for charge of Malicious Mischief on 5-11-06 in Panola County, MS. Charge was reduced to Simple Trespassing charge suspended, paid fines of \$106.50. He is currently attending the Basic Law Enforcement Recruit Training which began on 1-4-2012.

Mr. Dale with the Sheriff's Office Training Academy and Mr. Raddatz were present seeking the waiver. Mr. Explained that this incident happened the day before Mr. Raddatz graduated from high school in 2006. Since that time, Mr. Raddatz enrolled in Ole Miss and will be graduating the next day with a Bachelor's in Criminal Justice. Mr. Raddatz explained the incident occurred when he and some friends went to the football field to talk about their futures. He said he and others left the field but two students broke into the school. It was decided to charge everybody who had been at the football field, although he was not involved in the incident

Commissioner Wheeler moved to approve, seconded by Commissioner Williamson. The motion carried.

WAIVER OF BASIC TRAINING – 1110-02-.03 + 1110-9-.02

The following requests for Waiver/Substitution of Basic Training have been reviewed and appear to meet POST requirements:

1. Bluff City PD – Hubbard, Brian Evan - Request is made to allow Mr. Hubbard to attend the September 30, 2012 Transition School at TLETA. He completed basic at WSCC graduating on 5-1999. He was employed by the Bluff City PD from 12-16-99 to 5-12-2002, and became full time with the department on 4-24-2012. Request to attend the transition school to become POST Certified.

Commissioner Jenkins moved to approve, seconded by Commissioner Williamson. The motion carried.

2. Henry County SO – Higgins, James Dale - Request is made to allow Officer Higgins to attend the September 30, 2012 Transition School at TLETA. He completed a nine week basic at the Federal Law Enforcement Training Center at Glynco, Georgia. He was employed by the USDA Forest Service from 1986 to 2008. He became full time with Henry County SO on 3-16-12. Also request is made for a waiver of the six month rule.

Commissioner Jenkins moved to approve, seconded by Commissioner Rhoades. The motion carried.

3. Knox County SO – Kitts, Wesley Shane – Request is made for a waiver of the 3 week Transition School and to issue him POST Certification. He worked for Knox County from 9-03 to 11-05 and had previously attended THP's academy and was issued POST Certification WITHOUT the POST Test. He has been employed in the private section and on 9-13-10 he returned to Knox County as a corrections officer and attended the departmental In-service for 2011 and 2012. Request a waiver for the Transition School and to issue him POST Certification.

Commissioner Williamson moved to deny the waiver and for Mr. Kitts to attend the transition school, seconded by Commissioner Baker. The motion carried with Commissioner Jenkins abstaining.

4. Lebanon PD - Scheppf, Paul Pierre - Request is made to allow Officer Scheppf to attend the September 30, 2012 Transition School at TLETA. He completed basic at the Fox Valley Technical College on 5-31-03 with a total of 400 hours and was considered a certified Officer. He was employed by the City of Menasha PD from 9-03 to 4-12. He became full time with Lebanon PD on 4-9-12. Also request is made for a waiver of the six month rule.

Commissioner Rhoades moved to approve, seconded by Commissioner Donoho. The motion carried.

5. Sullivan County SO – Penley, Carrie Annette - Request is made to allow Deputy Penley to attend the September 30, 2012 Transition School at TLETA. She completed basic at WSCC graduating on 3-20-08. She was employed by the Sullivan County SO in Corrections from 2008 to 2012. She became full time on 3-22-12 as a full time road Officer, therefore she has been out basic four (4) years. Also request is made for a waiver of the six month rule.

Commissioner Jenkins moved to approve, seconded by Commissioner Rhoades. The motion carried.

The following agents with the Drug Task Force have been with the agency prior to 2005, but the department was unaware that the requirement to issue POST Certificates of Compliance was retro-active. All agents have been shown with other agencies even though they were direct employees of the Task Force. They have continued training each year with no break in service. Each agent has come from a Tennessee department.

6. Twenty-first Judicial District – Ashmore, Joseph(Joe) Melvin - Request to issue a Certificate of Compliance to Special Agent Ashmore. He attended basic at TLETA graduating on 4-23-98 and was a full time officer with Lewis County SO from 1997 to 2001. He became full time with the DTF on 2001 and request is to issue a POST Certificate of Compliance.

7. Twenty-First Judicial District – Greenewalt, Lisa Bailey - Request to issue a Certificate of Compliance to Special Agent Greenewalt. She attended basic at TLETA graduating on 9-1-94 and was a full time officer with Brentwood PD from 1994 to 1997. She became full time with the DTF on 3-28-97 and request is to issue a POST Certificate of Compliance.

8. Twenty-First Judicial District – Jones, Randall Scott - Request to issue a Certificate of Compliance to Special Agent Jones. He attended basic at TLETA graduating on 6-19-97 and was a full time officer with Roane County SO from 1996 to 1999 and Cumberland County SO from 1999 to 2003. He became full time with the DTF on 8-18-2003 and request is to issue a POST Certificate of Compliance.

9. Twenty-First Judicial District – Kimble, II, Joel(Joey) Don - Request to issue a Certificate of Compliance to Special Agent Kimble. He attended basic at TLETA graduating on 10-4-1985 and was a full time officer with Fairview PD from 1984 to 1995 and Brentwood PD from 1986 to 1995. He became full time with the DTF on 10-1995 and request is to issue a POST Certificate of Compliance.

10. Twenty-First Judicial District – Utley, Michael Christopher - Request to issue a Certificate of Compliance to Special Agent Utley. He attended basic at the Department of Criminal Justice Training Academy in Kentucky and challenged the POST Test in June, 2001 while he was a full time officer at Brentwood PD from 2001 to 2003. He became full time with the DTF on 6-23-2003 and request is to issue a POST Certificate of Compliance.

Commissioner Jenkins moved to approve the above Items 6-10, seconded by Commissioner Fanion. The motion carried with Commissioner Rhoades abstaining.

SPECIALIZED SUBSTITUTIONS FOR IN-SERVICE TRAINING – 1110-4-.09

The following items, numbers 1 through 16 requests for approval of Specialized Training Substitution, have been reviewed and appear to meet the guidelines set forth in POST Rule 1110-04-9. T.C.A. mandated Child Sexual Abuse, EVOC, Dealing with the Mentally Ill and Firearms qualifications must be completed and documented to complete requirements for In-service training, if not included in the curriculum of these courses.

1. Bartlett PD – Request approval of Specialized Training Substitution for the following Officers:

Christopher R. Armstrong – “Basic Narcotics Investigation” – RCTA – Meridian, MS – April 2-6, 2012 – 48 Hrs.

Terry G. Brewer – “Basic Gang School” – RCTA – Meridian, MS – March 7-9, 2012 – 24 Hrs.

Andrew R. Maliskas – “Basic Gang School” – RCTA – Meridian, MS – March 5-7, 2012 – 24 Hrs.

Jeffrey K. Swindol – “Homicide Investigation & Crime Scene Management” – Hot Springs PD, AR – April 10-12, 2012 – 24 Hrs.

Jeffrey D. Hodge & John D. Owen – “SIG Sauer Armorers Course” – SIG Sauer – St. Louis PD, MO – March 6-7, 2012 – 16 Hrs.

2. Bradley Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Jon K. Collins & Zechary K. Pike – “Emerging Trends in L.E. Seminar” – R.O.C.I.C. – Destin, FL – March 4-7, 2012 – 16 Hrs.

Mark Miller – “Officer Safety, High Risk Event Planning System – Level 1” – RCTA –

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Meridian, MS – February 13-17, 2012 – 40 Hrs.

Anthony C. Maskew & James D. Smith – “Prevention of & Response to Suicide Bombing Incidents” – New Mexico Tech., Socorro, NM – January 23-27, 2012 – 36.5 Hrs.

Chad W. Ownby & Mario A. Santos – “2012 National Interdiction Conference & Advanced Criminal Patrol Seminar” – Tulsa, OK – March 12-15, 2012 – 32 Hrs.

James J. Stone & Kevin W. White – “Homicide Investigation” – IPTM – Jacksonville, FL – February 13-17, 2012 – 40 Hrs.

3. Dyer Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Phillip A. Barton – “Cyber Investigations 101/STOP” – N.E. Mississippi L.E. Training Center – MS – February 14-15, 2012 – 16 Hrs.

4. Germantown PD - Request approval of Specialized Training Substitution for the following Officers:

Matthew K. Fisher, Robert M. Fisher, Edwin J. McGee, III, & Bryan E. Wallace – ROCIC – Destin, FL – March 4-7, 2012 – 16 Hrs.

5. Hawkins Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Stephen C. Britton, Jason L. Montgomery, Jeremy D. Nash, Wesley M. Seals – “Basic Narcotic Investigation” – RCTA – Meridian, MS – April 2-6, 2012 – 48 Hrs.

6. Hendersonville PD - Request approval of Specialized Training Substitution for the following Officers:

Neal J. Harris – “Emerging Trends in L.E.” – ROCIC – Destin, FL – March 4-7, 2012 – 16 Hrs.

7. Lincoln Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Lance A. Jean – “Basic SWAT” – Barrow Co. SO, Georgia – March 16-22, 2012 – 50 Hrs.

8. Martin PD - Request approval of Specialized Training Substitution for the following Officers:

Aaron O. Gallimore & Jonathan E. Reyna – “Basic Narcotics Investigations” – RCTA – Meridian, MS – April 2-6, 2012 – 48 Hrs.

9. Milan PD - Request approval of Specialized Training Substitution for the following Officers:

Michael Mulligan & Shawn C. Phinnessee – “Basic Gang School” – RCTA – Meridian, MS – March 5-7, 2012 – 24 Hrs.

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10. Murfreesboro PD - Request approval of Specialized Training Substitution for the following Officers:

Christopher S. Haney & Reco Hathaway – “6th Annual Gang Conference” – Las Vegas PD – NV – March 5-9, 2012 – 40 Hrs.

David Hudgens – “Ethical Leadership in L.E.” – Georgia Assoc. of Chiefs of Police – Athens, GA – April 10-11, 2012 – 16 Hrs.

11. Oneida PD - Request approval of Specialized Training Substitution for the following Officers:

William A. Angel & Benjamin B. Murphy – “Basic Narcotics Investigations” – RCTA – Meridian, MS – April 2-6, 2012 – 48 Hrs.

12. Portland PD - Request approval of Specialized Training Substitution for the following Officers:

Kevin D. Brewer, Denis M. Dalbec, & Christopher M. Jones – “Basic Gang School” RCTA – Meridian, MS – March 5-7, 2012 – 24 Hrs.

13. Pulaski PD - Request approval of Specialized Training Substitution for the following Officers:

Keith A. Crabtree & Justin R. Young – “Basic Gang School” – RCTA – Meridian, MS – March 7-9, 2012 – 24 Hrs.

14. Williamson Co. SO - Request approval of Specialized Training Substitution for the following Officers:

Denny R. Elliott, Mark S. Livengood, & Rodney R. King – “Sniper Week 2012” – Snipercraft/Pinellas Co. SO – St. Petersburg, FL – April 11-14, 2012 – 32 Hrs.

Bradley K. Fann, Michael T. Grandy, Kevin W. Jones, & Debra R. Rogers – “2012 National Interdiction Conference & Advanced Criminal Patrol Seminar” – National Criminal Enforcement Assoc. – Tulsa, OK – March 12-15, 2012 – 32 Hrs.

15. U.T. Chattanooga PD - Request approval of Specialized Training Substitution for the following Officers:

John M. Boe – “Simunitions Scenario Instructor & Safety Certification” – Northern VA Criminal Justice Academy, Ashburn, VA – February 28 – March 1, 2012 – 24 Hrs.

Craig S. Hamilton – “NRA Tactical Shooting Instructor Development” – Univ. of North Alabama Public Safety – Florence, AL – March 19-23, 2012 – 44 Hrs.

16. Metro Nashville Airport PD – Request approval for College/University Police Course to be Considered toward meeting 40 hours in-service training requirement for the following Officers:

Mark A. Medlin – “Intro to Fire Protection” – Columbia Southern University – February

2, 2012 Completion date – 3 Credit Hours.

Commissioner Rhoades moved for approval of Items 1-16, seconded by Commissioner Donoho. The motion carried.

APPLICATIONS FOR TRAINING OFFICER – 1110-04-.03

The following items, Number 1 through 5, applications for Training Officer, have been reviewed by POST Investigators and appear to meet criteria for approval. The officers will be informed that they must complete and Instructor Development course within the next 12 months.

1. Austin Peay State University Campus PD, Genthner, Georganna Elizabeth - Request Sgt. Genthner become the training Officer for the department. She has 9 years of law enforcement experience and has completed the required Instructor Development.
2. Campbell County SO - Stagnolia, Freddie E. - Request Sgt. Stagnolia become the training Officer for the department. He has 22 years of law enforcement experience and has completed the required Instructor Development.
3. Etowah PD- Davis, Jr., Timothy Joseph - Request Officer Davis become the training Officer for the department. He has 5 years of law enforcement experience and has completed the required Instructor Development.
4. Trenton PD – McCoy, Jeff Thomas - Request Asst, Chief McCoy become the training Officer for the department. He has 14 years of law enforcement experience and has completed the required Instructor Development.
5. Van Buren SO – Bouldin, Jonathon C. - Request Deputy Bouldin become the training Officer for the department. He has 10 years of law enforcement experience and has completed the required Instructor Development.

Commissioner Fanion moved to approve, seconded by Commissioner Jenkins. The motion carried.

APPLICATIONS FOR CERTIFIED INSTRUCTOR – 1110-03-.04

The following items Number 1 through 14, have been reviewed by POST Investigators, and appear to be in order and meet minimum standards:

1. Algood PD – Marquess, James Whitney - Request Officer Marquess to become Specialized Instructor in the following area[s]:

Firearms

Officer Marquess has been with Algood PD since 2005 and has ten years law enforcement experience and completed the required course as well as Instructor Development.

2. Algood PD – Steel, Russell Mark - Request Officer Steel to become Specialized Instructor in the following area[s]:

Patrol Rifle

Officer Steel has ten (10) years of law enforcement experience and has been with Algood since 2-05. He has completed the required course as well as Instructor Development.

3. Algood PD – Swallows, Nicholas Bryant - Request Officer Swallows to become Specialized Instructor in the following area[s]:

Firearms

Officer Swallows has nine (9) years of law enforcement experience and has been with Algood since 7-05. He has completed the required course as well as Instructor Development

4. Arnold PD – Cook Charles R. - Request Officer Cook to become Specialized Instructor in the following area[s]:

Professional Communications
Police Management
Leadership and Supervision

Officer cook has been with the department since 2009 and has completed the required course as well as Instructor Development.

5. Austin Peay State University PD – Genthner, Georganna Elizabeth - Request Sgt. Genthner to become the General Departmental Instructor. She has been in law enforcement for 11 years and has completed the required Instructor Development.

NOTE: Requesting a waiver of the one year rule.

6. Covington PD – Duffin, Ronald Michael - Request Officer Duffin to become Specialized Instructor in the following area[s]:

AR 15/M16/M4 Armorer

Officer Duffin has been with the department since 2003 and has completed the required course as well as Instructor Development.

7. Jefferson County SO – Bowen, Monte Keith - Request Sgt. Bowen to become Specialized Instructor in the following area[s]:

Taser ECD

Sgt. Bowen has been with the department since 2010, and has seven years of law enforcement experience and has completed the required course as well as Instructor Development.

8. Lafayette PD – Amalfitano, Rapheal (Ray) - Request Chief Amalfitano to become Specialized Instructor in the following area[s]:

Patrol Techniques

Chief Amalfitano has been with the department since 2001 and has completed the required course as well as Instructor Development.

9. Madison County SO – Watson, Susanne - Request Officer Watson to become Specialized Instructor in the following area[s]:

Firearms

Officer Watson has been with the department since 2007 and has completed the required course as well as Instructor Development.

10. McEwen PD – Adcox, Michael Elliott - Request Officer Adcox to become Specialized Instructor in the following area[s]:

Firearms

Officer Adcox has been with the department since 2011, and has five (5) years of law enforcement experience, and has completed the required course as well as Instructor Development.

11. Oakland PD – Atkins, Clifford Michael - Request Patrol Supervisor Atkins to become Specialized Instructor in the following area[s]:

Defensive Driving

Patrol Supervisor Atkins has been with the department since 2003 and has completed the required course as well as Instructor Development.

12. Trenton PD – Wilson, James D. - Request Officer Wilson to become Specialized Instructor in the following area[s]:

Taser Instructor

Officer Wilson has been with the department since 1999 and has completed the required course as well as Instructor Development.

13. Van Buren County SO – Bouldin, Jonathon C. - Request Deputy Bouldin to become Specialized Instructor in the following area[s]:

Firearms

Deputy Bouldin has been with the department since 2002 and has completed the required course as well as Instructor Development.

14. WSCO – Strickler, Joseph Herman - Request Captain Strickler to become Specialized Instructor in the following area[s]:

Managing Violent Crime Investigations using Investigative Psychology: Serial Killers, Psychopaths, Rapists, and the Criminal Mind

Captain Strickler has been with Sullivan County Sheriff's Office since 1991 and has twenty one year's law enforcement experience and completed the required course as well as Instructor Development. He will be instructing for WSCC.

Commissioner Donoho moved to approve, seconded by Commissioner Williamson. The motion carried.

CURRICULUM AND TESTS – 1110-04

The following Items 1 through 19 have been reviewed by POST Investigators and appear to be in order and meet or exceed minimum standards for POST requirements:

1. Benton County SO – 2012 In-service training, 40 hours, CSA/EVOC/Mental Illness/FA. May 2-14, 2012.
2. Berry Hill PD - Firearms, 12 hours, April 14, and May 7, 2012.
3. Blount County SO – In-service, change in schedule, 40 hours, CSA/EVOC/Mental Illness/ FA. April 23-27, 2012.
4. Chattanooga PD – Approval for Academy Class 2012-1, Jan. 13, 2012 – May 31, 2012. 400 hours.

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5. Cookeville PD - 16 hour In-service, CSA/EVOC/Mental Illness and FA.
April 9 & 10, 2012
May 7 & 8, 2012
June 25 & 26, 2012
July 9 & 10, 2012
July 30 & 31, 2012
Nov. 29 & 30, 2012
6. Germantown PD - In-service, CSA/EVOC/Mental Illness, 6 hours.
July 12, 19 & 26, 2012
7. Germantown PD – FA, 8 hours. Aug. 9, 23, & 30, 2012.
8. Hawkins County SO – Firearms, 8 hours,
May 24, 2012
June 5 & 7, 2012
June 12 & 14, 2012
July 14 & 17, 2012
Aug 7 & 16, 2012
Sept. 6 & 18, 2012
Nov. 30, 2012
9. Knox County SO – Basic Recruit Class, August 5 – October 12, 2012.
10. Lenoir City PD – In-service 40 hours, revised schedule. CSA/EVOC/FA/Mental Illness. April 23 – 27, 2012.
11. McEwen PD – 40 hour In-service, CSA/EVOC/FA/Mental Illness, April 27, May 25, June 8, July 13, and August 10, 2012, 40 hours.
12. Medina PD – 8 hours FA, April 18, 2012.
13. Middle Tennessee State University – Firearms, 8 hours.
June 25-28, 2012
Aug. 6-9, 2012
Oct. 8-11, 2012
14. Norris PD – 2012 In-service, 40 hours, CSA/EVOC/Mental Illness/FA. 4 hours blocks, Aug 3-Oct. 15, 2012.

15. Shelby County SO – 2012 Line Level Officers In-service with the rank of Patrolman and Patrolwoman. 40 hours/CSA/EVOC/Mental Illness/FA.

- #1 April 16-20, 2012
- #2 April 23-27, 2012
- #3 April 30- May 4, 2012
- #4 May 7-11, 2012
- #5 May 14-18, 2012
- #6 May 21-25, 2012
- #7 June 11-15, 2012
- #8 June 18-22, 2012
- #9 June 25-29, 2012
- #10 July 9-13, 2012
- #11 July 16-20, 2012
- #12 July 23-27, 2012
- #13 July 30-Aug. 3, 2012
- #14 Aug. 6-10, 2012
- #15 Aug. 13-17, 2012
- #16 Aug. 20-24, 2012
- #17 Aug. 27-31, 2012

16. Shelbyville PD- 16 hours In-service, CSA/EVOC/Mental Illness.
May 24 & 31, 2012
June 19 & 26, 2012

17. Smith County SO – 2012 In-service, 40 hours, CSA/EVOC/FA/Mental Illness.
May 21-25, 2012
Sept. 10-14, 2012
Oct. 22-26, 2012

18. Stewart County SO -40 hour In-service, CSA/EVOC/Mental Illness/FA.
Sept. 12, 13, 14, 19, 20, 2012
Nov. 18, 19, 20, 25, 26, 2012

19. White House PD- EVOC, 2 hours.
May 8 & 29, 2012
June 12, 2012
Aug. 7 & 16, 2012
Sept. 11, 20 & 30, 2012
Oct. 18 & 30, 2012
Nov. 15, 2012

Commissioner Wheeler moved to approve Items 1-19, seconded by Commissioner Baker.
The motion carried.

SPECIALIZED TRAINING CURRICULUM – 1110-04-.09

The following Items 1 through 28, have been reviewed by POST Investigators and appear to be in order and meet minimum standards for Specialized Training Substitution. Child Sexual Abuse, EVOC, Dealing with the Mentally Ill and Firearms must be completed and documented to complete requirements for In-service training. Those specialized schools including Child Sexual Abuse training will be designated as they are approved for POST information.

1. Chattanooga PD – 40 hour Basic Police Cyclist Course, May 21-25, 2012.
2. Cumberland County SO – 8 hours, Domestic Investigation and Photography Crime Scenes, May 8 and 15, 2012.
3. Dyersburg PD - 40 hour Basic Police Cyclist School, April 30-May 4, 2012.
4. Dyersburg PD – 40hour Domestic Violence School, CSA included.
June 4-8, 2012
5. Gallatin PD – Basic Instructor Development Course, 40 hours, CSA/EVOC.
June 11-15, 2012
6. Goodlettsville PD – 6 hours/CSA/Mental Illness and Sovereign Citizen.
June 12 & 14, 2012
Nov. 6 & 8, 2012
7. Hamilton County SO – 40 hour Basic School Resource Officer Class &
40 hour Advanced Strategies for School Resource Officers Class –
July 30-Aug. 3, 2012.
8. Hamilton County SO – 40 hour Dignitary Protection Course,
Sept. 16-21, 2012.
9. Hardeman County SO – POST Blast Investigations Training, hosted by the
Hardeman County SO, Bolivar PD, and Whiteville PD. 32 hours, conducted by Bureau
of Alcohol, Tobacco, and Firearms. May 21-24, 2012.
10. Hawkins County SO – Courthouse/Courtroom Security In-service, 40 hours
June 9-16, 2012
11. Holston International Training – Dignitary Protection, hosted by the Knox
County SO, 32 hours.
June 11-14, 2012
12. Lafayette PD- 32 hour Tactical Patrol Class –June 18-21, 2012
13. Madison County SO – Sovereign Citizen Movement in America, 2 hours, April 10,
2012.
14. Monroe County SO – Advanced Tracking & Patrol K-9 Seminar, 40 hours,
CSA/EVOC/Mental Illness. June 4-8, 2012

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15. Moore County SO- Advanced SWAT School, 40 hours, CSA/EVOC/Mental Illness/FA. May 21-25, 2012.
16. Morristown PD – 16 hour Command Staff Workshop, Gatlinburg, TN. CSA/EVOC/Mental Illness, April 23-25, 2012.
17. Mt. Juliet PD – LEOSA Firearms Training – 8 hours.
April 18, May 11, June 22, July 20, Aug. 24,
Sept. 21 & Oct. 19, 2012.
18. Mt. Juliet PD – Understanding the Force Continuum and Application of Techniques. 40 hours/CSA/FA.
19. Nashville Coalition Against Domestic Violence – Trauma & the Brain, 1.5 hours, June 29, 2012.
20. Rutherford County SO – Cold Case Investigation Seminar, 32 hours.
Aug. 13-17, 2012
21. Smyrna PD – New Crime Scene Investigation Technician – 40 hours.
March 27-29, 2012
April 3-5, 17-19, 24-26, 2012.
22. Tennessee Chapter of Children's Advocacy Centers – Stewards of Children, developed by Darkness to Light. 3 hours
Memphis PD Training Academy
Jan. 10, 17, 24, 31, 2012
Feb. 7, 14, 27, 21, 24, 28, 2012
March 6, 13, 20, 27, 2012
April 3, 10, 2012

Germantown PD
Feb. 23, 2012
March 19, 2012

Bartlett PD
March 1, 8, 15, 22, 29, 2012
April 9, 2012

Lebanon PD –
Feb. 3, 6, 13, 17, 20, 24, 2012

Williamson County SO –
March 7, 9, 2012
23. Tn. Chapter of Children's Advocacy Centers – Talking to Kids, 12.0 hours
May be acceptable as CSA.
Jan 23 - 24, 2012 = Cookeville
March 19-20, 2012 – Cookeville
April 16-17, 2012 – Cedar Hill, TN.
June 13-14, 2012 – Putnam County Child Services

24. Wilson County SO - Service Horse Training, 32 hours, May 4,5 & 6, 2012.
25. UT Martin PD- Domestic Radical Extremist, conducted by the Institute of Professional Development at Dyersburg PD - May 16-17, 2012. 16 hours.
26. U.S. Dept. of Justice – Knoxville Division of the FBI – Basic Sniper/Observer Course, Oak Ridge Sportsman's Association, 40 hours. June 4-8, 2012.
27. WSCC – Managing Violent Crime Investigations using Investigative Psychology, Serial Killers, Psychopaths, Rapists and the Criminal Mind – 40 hours, April 23, 24, 25, 26, 2012.
28. TACP – Request approval for June Meeting – May 30-June 1, 2012. EVOC/Dealing with the Mentally Ill. 12, hours.

Commissioner Baker moved to approve Items 1-28, seconded by Commissioner Wheeler. The motion carried.

OLD BUSINESS

FYI

METRO NASHVILLE PD – HAMLET II, JAMES NEAL

POST received a request for decertification from Metro Nashville PD dated Dec. 23, 2010. Mr. Hamlet was terminated on 11-29-10 for violations of departmental policy. He was assigned an extra vehicle and failed to turn on/log to the mobile data computer (MDC) when using the vehicle. He was untruthful in his statements regarding the use of the MDC. Also he did not turn in the required forms to perform secondary employment. Notice was mailed on March 28, 2011 to begin decertification and request was then received on 4-14-11 requesting to place the matter in suspended status pending completion of the trial. The Commission placed the matter in suspense on May 13, 2011. On Jan. 10, 2012 a final order was issued by the Vice Chairman for the Civil Service Commission reversing the termination, and reinstating Mr. Hamlet to his former position with full back pay and benefits, minus a twelve day suspension. Metro Nashville has submitted paperwork reinstating Mr. Hamlet. The decertification is considered stopped and he is returned to full duty certified status.

Commissioner Donoho moved to take the matter out of suspension, seconded by Gen. Cherry. The motion carried.

NEW BUSINESS/ITEMS FOR DISCUSSION

WAIVERS – IN-SERVICE TRAINING RULE 1110-09-.05(1) – FAILURE TO COMPLETE

The following officers have not completed their in-service training for the 2011 year, and WILL NOT be eligible for salary supplement, due to medical reasons. The department and officer will remain in compliance. Officers started medical leave as stated below:

Metro Nashville PD - Christopher Clark
James D. Harber
William Hitchcox

Robert Richards

| | |
|---------------|--|
| Portland PD – | Melvin McLerran – Injured in the line of duty, no In-service |
| Red Bank PD – | Isaac Cooper –16 hours, Medical leave |
| Red Bank PD – | Patrick Miller – 16 hours,Adm. Oversight did not complete. |
| Trenton PD – | Lt. Mark Graves – no In-service, medical condition |

Commissioner Rhoades moved to approve, seconded by Commissioner Williamson The motion carried.

WAIVER OF THE EIGHT MONTH RULE – RULE 1110-09-.06

The following officers completed the required In-service including EVOC/CSA and Firearms and for reasons specified on each request are asking for a waiver of the eight month rule. They will be eligible for salary supplement.

Covington PD - Larry Russell-Retired 4-29-11, completed in-service.

Commissioner Baker moved to approve, seconded by Commissioner Lowry. The motion carried.

ADMINISTRATIVE WAIVERS

HUNTINGDON PD – STRAYHORN, CHASITY LASTAR

Request is made for an administrative waiver for an uncharacterized discharge she received from the Army/USAR. She completed her military basic training and her AIT and is currently an army reservist and drilling.

Commissioner Jenkins moved to approve, seconded by Commissioner Baker. The motion carried.

Chairman Lewis announced the Decertification Committee would meet on Thursday, June 14th and the next regular POST meeting will be on Friday, June 15th.

Chairman Lewis turned the floor over to Mr. Grisham for some comments.

Mr. Grisham told the Commission they will need to be having a rulemaking meeting soon.

Mr. Grisham said that POST will be tasked by the Governor's Office and the Public Safety Subcabinet, of which Mr. Grisham is a member, to establish rules for the Drug Task Force. Also, the Comptroller's Office has approached about trying to standardize and unify what training the DTF officers receive. Mr. Grisham said he pointed out that they may need to start with management because there are major concerns with mismanagement. He said they will need a study committee to recommend some of these standards. Mr. Grisham said a new DTF School similar to the new sheriffs school would be ideal to address a lot of the problems. Mr. Grisham said he has to have something in place on that by October.

Mr. Grisham also commented that the Attorney General's Office does not recognize the psychological standard and will not defend the constitutionality of the standard. Mr.

Grisham said he thinks they can rectify that by adding a sentence to the psychological standard.

Mr. Grisham explained that the legislature had tasked POST with coming up with a uniform for off duty police officers to wear while working at private duty employment. He explained that years ago, Metro unified its off duty employment policy. A lot of different entities were providing off duty employment.. A market developed for private duty employment from officers outside of the county. At that time a statute was passed that said the officers can work in another county wearing the uniform that they are issued as long as their department approves of that or as long as they are a qualified officer or they could utilize a uniform designed as established by the POST. The entity that pushed for this presented a uniform which was basically a polo shirt with a badge that said POST Certified Private Duty Law Enforcement Officer. The POST Commission said that was okay.

Mr. Grisham noted that there are a lot of small private entities that are employing officers, but some of these are not officers. Some will have blue lights. Some will have police markings. The news media started questioning this. Metro is cracking down on this and private employers are also cracking down on it. The issue has come up and they have had about three inquiries about the design these officers are supposed to wear. Robertson County's sheriff does not want his officers wearing their departmental uniforms. They have been wearing a uniform that has not been approved by anyone.

Mr. Grisham said judging from the statute and from what POST has said in the past, he has advised that it needs to be clearly marked that they are a POST certified officer and a private duty officer. Other than that, they have to have an employer. Mr. Grisham said he has always said that whatever entity is employing off duty personnel needs to make a reasonable effort to contact POST and determine whether the person is actually a POST certified officer and added they have agreed to do this. Mr. Grisham presented the design the entity has come up with, which is similar to what was presented years ago. It says POST CERTIFIED OFFICER on the badge, Police and Private Duty Officer on the front. The back says Off Duty Police Officer. Mr. Grisham said he feels the shirt should say Private Duty Police Officer to prevent someone confronting the officer and saying they are off duty and cannot do anything. The group wants the Commission to approve the design. Mr. Grisham said he does not see a big problem with this as long as they are only employing POST Certified officers.

Commissioner Fanion asked if this would be used across the state. Mr. Grisham said the statute is restricted to Davidson County and depends on the population but can be amended for other counties. He said it is usually officers from contiguous counties working in Metro. Mr. Grisham said most of the ones he sees working wears their departmental uniforms. These shirts will be for departments who do not want their officers wearing their departmental uniforms performing off duty responsibilities.

Commissioner Wheeler said he really does not like the words Off Duty on the shirt and feels they are setting themselves up for confrontation. Mr. Grisham said he discussed this with the entity in advance and feels it came down to the number of letters. Mr. Grisham said he would tell the entity the Commission approved the design and would prefer it say Private or Extra Duty Police Officer and the employer should make a reasonable effort that the officer is a certified officer.

Mr. Grisham remarked it would be better if they had a set of rules to hand people when they ask. He said that he and Mr. Underwood would work on some rules.

Commissioner Williamson moved to accept the design of the shirt with the exclusion of the wording Off Duty and change to Private Duty or Extra Duty. Commissioner Baker seconded. The motion carried.

There being no further business, the meeting adjourned.

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RESPECTFULLY SUBMITTED

Patsy Norman
Licensed Court Reporter #410
TCRA
State of Tennessee
615-834-4477

APPROVED: _____
Jeffrey Lewis
Chairman

DATE: _____